

PATENT

Attorney Docket No. 2489.0028-11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:	)	
U.S. Patent No. 5,364,866	)	
	)	
Joseph T. STRUPCZEWSKI et al.	)	Group Art Unit: Unassigned
	)	
Reissue Serial No.: Unassigned	)	Examiner: Unassigned
	)	
Filed: Herewith	)	
	)	
For: HETEROARYLPIPERIDINES,	)	
PYRROLIDINES AND PIPERAZINES AND	)	
THEIR USE AS ANTIPSYCHOTICS	)	
AND ANALGETICS	)	

**BOX REISSUE**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Patent Owner brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced reissue proceeding.

Copies of some of the listed documents were previously submitted or cited by the Examiner in prior application Serial No. 08/969,383, filed 10/30/92, which issued as U.S. Pat. No. 5,364,866, which is a CIP of 07/788,269, filed 11/05/91, now abandoned, which is a CIP of 07/944,705, filed 09/05/91, now abandoned, which is a continuation of 07/619,825, filed

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11/29/90, now abandoned, which is a continuation of 07/456,790, filed 12/29/89, now abandoned, which is a CIP of 07/354,411, filed 05/19/89, now abandoned. Copies of these documents are not attached because they were provided in the prior applications. *See* MPEP §1455. Copies of the following listed documents are attached: U.S. 3,950,527, U.S. 4,745,117, U.S. 4,780,466, U.S. 4,880,930, U.S. 4,968,792, U.S. 5,364,866, WO 93/16073, WO 93/09012, WO 94/18196, EP 0 013 612, EP 0 261 688, EP 0 302 423, EP 0 329 168, EP 0 353 821, EP 0 357 134, EP 0 464 846, EP 0 542 136, NZ 233 503, NZ 233 525, NZ 233 710, DE 353 0089 and Fuller, R.W., "Drugs Acting on Serotonergic Neuronal Systems," *Biology of Serotonergic Transmission*, John Wiley & Sons Ltd., 1982, pages 221-247. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the reexamination proceeding and Patent Owner determines that the cited documents do not constitute "prior art" under United States law, Patent Owner reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

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Patent Owner further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
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Dated: November 15, 2000

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